

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**COMMUNICATIONS WORKERS OF
AMERICA, AFL-CIO,**

PLAINTIFF,

VS.

**SOUTHWESTERN BELL TELEPHONE
COMPANY and AT&T SERVICES, INC.**

DEFENDANTS.

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Civil Action: 1:22-cv-00455-DAE

JOINT STATUS REPORT

In accordance with the Court’s May 10, 2023 Order, Plaintiff Communications Workers of America, AFL-CIO (“Plaintiff” or “CWA”) and Defendants Southwestern Bell Telephone Company and AT&T Services, Inc. (collectively “Defendants”), provide this Joint Status Report:

1. This litigation was filed under 29 U.S.C. § 185, Section 301 of the Labor Management Relations Act, and seeks to compel the arbitration of a grievance filed by the Plaintiff pursuant to the collective bargaining agreement (“CBA”) between the parties concerning alleged violations of the CBA related to the decision by Defendants’ parent company, AT&T, to spin-off DirecTV as a separate business entity. It is related to Civil Action 1:22-cv-00954-DAE, *CWA v. AT&T Mobility Services LLC*, also pending before the Court, in that both cases concern the spin-off of DirecTV, but involve different CBAs.

2. Plaintiff commenced this litigation on May 12, 2022. Defendants filed a motion to dismiss on July 15, 2022. Plaintiff filed a response to that motion on August 12, 2022 and Defendants filed a reply on August 26, 2022.

3. In approximately November 2022, the parties began settlement discussions. The parties' discussions include resolution of both this case and *CWA v. AT&T Mobility*.

4. The parties initially selected Dana Edward Eischen of Ithaca, New York as the mediator, but Mr. Eischen was unable to travel to conduct the in-person mediation desired by the parties. This development led the parties to select Gerald Fowler of St. Louis, Missouri to mediate the dispute.

5. The case was stayed on March 21, 2023.

6. The parties are scheduled to mediate this case in Dallas, Texas on August 22, 2023. The mediation had previously been scheduled for June 2, 2023, but was rescheduled by mutual agreement of the parties to accommodate a scheduling conflict on the part of CWA that emerged in early April 2023.

7. Per the order of March 21, 2023, the parties shall advise the Court of the outcome of the August 22nd mediation.

Respectfully submitted,

LITTLER MENDELSON, P.C.

s/ Tim Rybacki

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CERTIFICATE OF SERVICE

This is to certify that on May 17, 2023, this document was filed with the Court and served on counsel of record listed below through the Court's ECF system:

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